

30.11.2023.
34.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3807 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P.S. Case No.152 of 2023 dated 10.05.2023 under Sections 498A/302/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act and Sections 6/17 of the POCSO Act and Sections 9/10 of Prohibition of Child Marriage Act.

In the matter of : **Sakila Bibi @ Sekela Bibi & Anr.**

.... Petitioners.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman.

...for the Petitioners.

Mr. Partha Pratim Das,
Mrs. Manasi Roy.

...for the State.

1. Petitioners are in custody for 181 days. It is contended victim housewife committed suicide by hanging. They pray for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Though FIR was registered under Section 302 of the Indian Penal Code, it appears victim committed suicide by hanging. Petitioners are in custody for more than 180 days.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the

POCSO Act, Murshidabad at Berhampore subject to condition that they shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)